

Department of the Interior Departmental Manual

Effective Date: 09/27/16

Series: Delegation

Part 207: Limited Delegations

Chapter 6: Natural Resource Damage Assessment and Restoration

Originating Office: Office of Restoration and Damage Assessment

207 DM 6

6.1 **Purpose.** This Chapter delegates authority to Department officials to carry out responsibilities related to Natural Resource Damage Assessment and Restoration (NRDAR) activities, subject to the provisions of 521 DM.

6.2 **Authorities.** Delegations made in this Chapter are based on the following authorities:

- A. Section 2 of Reorganization Plan No. 3 of 1950 (64 Stat. 1262).
- B. Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), 42 U.S.C. §§ 9601 et seq..
- C. Oil Pollution Act of 1990 (OPA), 33 U.S.C. §§ 2701 et seq..
- D. Federal Water Pollution Control Act or “Clean Water Act” (FWPCA/CWA), 33 U.S.C. §§ 1251 et seq..
- E. Section 1(c) of Executive Order 12580, as amended by Executive Order 12777.
- F. National Oil and Hazardous Substances Pollution Contingency Plan, 40 CFR 300.
- G. Interior, Environment, and Related Agencies Appropriation Act, 1992 (P.L. 102-154), as amended.

6.3 **Delegation.**

- A. Assistant Secretaries. The NRDAR authorities of the Secretary of the Interior are delegated to all Assistant Secretaries.
- B. Assistant Secretary – Policy, Management and Budget is delegated authority to promulgate natural resource damage assessment regulations and provide program administration and management.

6.4 Authority to Act as the Authorized Official. The authority delegated to Assistant Secretaries to act on behalf of the Secretary as the Authorized Official in conducting NRDAR activities, including the authority for NRDAR activities that cross functional lines or that are the responsibility of another bureau, is delegated to:

- A. Deputy Assistant Secretary – Policy and International Affairs.
- B. Director, U.S. Fish and Wildlife Service.
- C. Director, National Park Service.
- D. Director, Bureau of Indian Affairs.
- E. Director, Bureau of Land Management.
- F. Commissioner, Bureau of Reclamation.

6.5 Re-Delegation.

A. The authority granted in paragraph 6.4 above may be re-delegated to Executive-level officials (e.g., Regional Directors, State Directors, Program Directors, etc.) or other senior staff who can exercise the full authority of an Authorized Official for the NRDAR claim or matter for which they are designated to act pursuant to 521 DM 2.2.

B. Designation of senior staff is only intended for special circumstances. If the proposed Authorized Official designee is senior staff and not an Executive-level official, the delegation must have the continued approval of the Director, Office of Restoration and Damage Assessment and the bureau head (identified in paragraph 6.4 above) to ensure that the designee is fully empowered to make time-sensitive litigation, fiscal, and Department-level decisions, including authority for programs that cross functional lines or that are the responsibility of another bureau, as specified in 521 DM 2.2.

C. The authority granted in paragraph 6.3B above to the Assistant Secretary – Policy, Management and Budget is re-delegated to the Deputy Assistant Secretary – Policy and International Affairs. This authority is further delegated to the Director, Office of Restoration and Damage Assessment.

6.6 Limitation. All authorities delegated in this chapter are subject to the provisions of 521 DM.